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SUBJECT: FIRST UNSC KOSOVO MEETING FOR JOACHIM RUCKER

¶1. (SBU) Summary: On September 13, in his first appearance at a Security Council meeting on the United Nations Interim Administration Mission in Kosovo (UNMIK), SRSG Joachim Rucker praised Kosovo's leadership for having "now achieved most of the priorities on standards implementation." Kosovo Prime Minister Ceku was present, in his second appearance in the Security Council, and was seated behind the SRSG as a member of his entourage but did not speak. Rucker followed his praise for Kosovo's new leadership with a reminder that there were still areas where significant work remained. Rucker furthermore made a strong appeal to Belgrade to allow Serbs in Kosovo to participate in the institutions and democratic processes of Kosovo's Provisional Institutions of Self Government (PISG). Coordination Center for Kosovo and Metohija (CCK) President Sanda Raskovic-Ivic reiterated many of the well-known, legalistic arguments she had offered to the Security Council in June, buttressing them once again with statistics on alleged incidents of ethnically-motivated violence against minorities. As the meeting drew to a close, Raskovic-Ivic requested the right to speak again and used it to counter a point in the European Union's statement from the day's meeting, saying that claims of improvements in freedom of movement and returns were untrue. The CCK President also suggested that Kosovo Serb leaders lacked a public mandate because only 811 Serbs voted in the last elections. Rucker had the last word of the meeting to rebut Raskovic-Ivic and commented, inter alia, that only a small-fraction of Serbs had voted in 2004 because Belgrade had interfered in the first place; the SRSG also cautioned Belgrade "to be careful to avoid the impression that it creates the conditions that it deplores."

¶2. (SBU) All Security Council members exercised their right to make a national statement and most welcomed the presence of both Raskovic-Ivic and Ceku and strongly agreed with Rucker's praise of Kosovo's progress on standards implementation and with his call for sustained progress; they also echoed his appeal to Belgrade to allow Serbs greater participation in the democratic process in Kosovo. In Russia's national statement, Permanent Representative Churkin warned against "arbitrary timelines", saying "only a negotiated and not a one-sided or imposed solution can be supported by the Security Council." Non-Security Council members Finland (as EU President), Ukraine and Albania also made statements. End summary.

Rucker Reviews Report on Standards Implementation

¶3. (SBU) In his first appearance before the Security Council as SRSG, Joachim Rucker reviewed the most recent report on standards implementations in Kosovo. Kosovo was represented by Prime Minister Agim Ceku, who -- just as in June -- was present at the meeting as a member of the SRSG's entourage and sat behind the SRSG, but made no statement. The status process, said Rucker, now understandably dominates

international attention, and, UNMIK, although not directly involved in that process nonetheless shares the Secretary-General's view that Kosovo has to be rid of

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uncertainty so that it could move on. Kosovo, had achieved most of the priorities on standards implementation and the Contact Group had contributed to this through its "Thirteen Priorities" of June 19. Last month, the Kosovo Assembly had moved to merge its plan for standards implementation with goals to be met for its European path. There were still incidents of ethnic violence, such as one in North Mitrovica in August, but, attempts to say these occurred on a daily basis were incorrect. Belgrade, Rucker said, needed to allow Kosovo Serbs to participate more directly in democratic processes in Kosovo and should rescind a directive to Serbs working in most Kosovo institutions to choose between their Belgrade and Pristina salaries. Rucker also criticized a recent case where Serbs in Kosovo were discouraged from meeting with Prime Minister Ceku. "Serbs are in a difficult position in Kosovo, understandably fear for the future and do not know who to trust as they have been barred from participating in government for two and a half years," offered Rucker, "but integration is the answer, not isolation." On standards implementation, justice and the economy still needed attention, he added. Rucker also said the devolution of UNMIK and its functions would be a major activity that has to be undertaken even in the absence of a clear timetable. "We also have to keep momentum in the status process as a delay will only increase tension in the region and make a new start harder when it comes," said Rucker.

CCK President Raskovic-Ivic: Legalistic Arguments

14. (SBU) In a lengthy statement that offered mostly legalistic arguments against Kosovo's independence, CCK

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President Raskovic-Ivic appealed that the Security Council had unique significance and Serbia expected it would contribute to the Future Status process "in line with its previous documents, including UNSCR 1244 that reaffirms Serbia's sovereignty and territorial integrity." Raskovic-Ivic commented that former SRSG Soren Jessen-Petersen's report at June's Security Council session had reported progress in all areas, but the reality had spoken for itself: since the last UNMIK meeting there had been 51 incidents of ethnic violence in Kosovo and from the launching of status talks in October 2005 to September 1, 2006 there had been more than 260. Raskovic-Ivic enumerated other cases of violence that she said were directed by ethnic Albanians against minorities, calling a recent case where an Albanian had supposedly thrown a bomb into a Serb coffee shop "an act of terrorism." However, Serbia's negotiating team was working actively to protect minorities on decentralization, she stated. Turning to status, Raskovic-Ivic declared it was "unacceptable to rob an internationally recognized state of fifteen percent of its territory to create a second Albanian state." On another subject, for protection of minorities and religious sites it was fine to pass laws, but implementation was needed. Raskovic-Ivic asserted that returns were also still a problem and even the most optimistic figures showed no more than five percent of Serbs as having returned, but the real figure was closer to two percent. Raskovic-Ivic continued that property claims were also not taken seriously in Kosovo and the Kosovo Property Agency (KPA) had not even been given proper funds to process claims. Trafficking in humans, drugs and arms also plagued Kosovo and, to rectify this, Serbia was open to any form of specialized police, she stated. Lastly, asserted Raskovic-Ivic, "a premature solution should not be forced at any cost as it would set a precedent that opens Pandora's box." Raskovic-Ivic concluded with a warning that the international community "should make the Albanians accept a reasonable compromise solution so they could have the Serbs

as partners for the future, because, without the Serbs, Albanians will not go far."

Russia: Only A Negotiated Solution Supportable In Security Council

15. (SBU) In Russia's statement, Permrep Vitaly Churkin said "the leaders of the province should focus on steps to protect minorities and, despite some positive steps that are not significant, the number of ethnically-motivated crimes has shot up." Furthermore, returns of refugees and progress on community rights was also not yet satisfactory. Churkin also claimed the non-participation of Kosovo Serbs was because Kosovo was far from a democratic society and trust was low. He said it is "wrong to blame Belgrade for Kosovo-Serb non-participation in the PISG" and called on Kosovo Serb leaders to "lead the way." Belgrade's offer of greater autonomy is open-ended and can be adjusted over time," said Churkin " what is needed are real negotiations and it is important for stability in the Balkans that the sides find points of convergence. "Only a negotiated and not a one-sided or imposed solution could be supported by the Security Council and an optimistic solution would take a good deal of time," said Churkin, "but it is a priority for Russia and Russia opposes any arbitrary timeframe."

Statements By Other Council Members

16. (SBU) French Permrep de La Sabliere echoed Rucker's praise of standards implementation as well as his call for further progress. France hoped that the status negotiations would result in a negotiated settlement, but the best way to achieve that would be sticking to the established deadline of 2006. Belgrade and Pristina should both participate actively in the status process. UK Deputy Permanent Representative Karen Pierce called for standards implementation to continue and declared that responsibility would fall on the PISG as the international community could not do it. Kosovo's assembly should also finalize laws on languages and cultural assembly. While violence against Serbs in Kosovo was a problem it could not alter the direction in which the status process was heading. "Independence is an option for Kosovo -- and some would say the only option to bring stability to the region - but we still must work to protect minorities," said Pierce.

17. (SBU) Slovak Permrep Peter Burian welcomed Ceku's attitude and commitment regarding standards implementation, but asserted there should be "no semblance of double standards." Violence in Kosovo ought to be condemned, said Burian, and Kosovo's institutions should address security. Slovakia also agreed that the number of minority returnees was still not satisfactory. The international community

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should maintain a presence in the north even after a status determination, he stated. Slovakia continued to believe that a balanced settlement and compromise would increase stability in the region. Delivering the U.S. statement, Ambassador Sanders promised that we would support Rucker in helping UNMIK help build meaningful self-government in Kosovo and cooperate with UNMIK and the PISG on standards implementation. On standards, the U.S. applauded Prime Minister Ceku for his government's completion of several of the Contact Group's priorities, but ongoing efforts to complete the remaining items needed to be intensified, particularly regarding laws on languages and cultural heritage and implementing a comprehensive rental program for housing currently administered by the Kosovo Property Agency. The U.S., furthermore, strongly condemned the August 26 incident in North Mitrovica. Belgrade should take immediate steps to support Kosovo Serb participation in local institutions and address other concerns. As noted by the Contact Group in January, all possible efforts should be made to achieve a negotiated settlement in 2006, stated Ambassador Sanders.

Statements By Non-Council Members

18. (SBU) Under rule 37, which allows other countries to deliver addresses, Finland, Ukraine and Albania also made statements. Speaking on behalf of the EU, Finnish Ambassador Kirsti Lintonen called for both sides to participate constructively in the status process. The EU welcomed the recent adoption of the European Partnership Action Plan. Lintonen noted that a smooth transition from UNMIK would require funding and while the EU was the largest donor, funding from others would be needed; an international donor's conference was foreseen after the status settlement and there was need of a long-term commitment from the international donor community. The status quo was unsustainable and had to be replaced with a solution that would provide lasting peace and promote Kosovo's European integration. Ukraine stated that we needed a solution that would promote long-term regional stability and expressed concerns about changing the international borders of a democratic state and pointed to independence referenda that had recently been announced in Transnistria and South Ossetia. In Albania's statement, Permanent Representative Adrian Neritani pledged Albania would continue to play an active, helpful and moderating role in close cooperation with the international community.

Meeting With Ceku

19. (SBU) In a meeting later in the day, Ambassador Sanders met with Ceku (the meeting was originally supposed to be with Rucker accompanied by Ceku). Ceku argued forcefully that the key problem with standards implementation in Kosovo had become Belgrade's determined opposition to block it. Ceku pointed to his recent attempts to hold meetings with Kosovo Serbs and other initiatives where Belgrade actively lobbied Kosovo Serbs and undercut his initiatives. Sanders asked Ceku how he saw the process playing out in the next three months, to which the Prime Minister replied that he was worried that if we could not stick to the US and Contact Group commitment of finishing the process by the end of the year then it might not be possible to wait any longer as he had leveraged considerable progress by assuring Kosovo's people that a status outcome was in the pipeline. In response to a question on decentralization from the Deputy Political Counselor, Ceku said that it was becoming difficult to give more, and not because of hesitation to be forthcoming with the Serbs, rather out of "fundamental worries about functionality." Ceku said the timeline he envisaged would have a status decision by the end of the year, three months for UNMIK to "pack its bags" while Kosovo worked on a constitution and then elections capping all of this in the summer or fall of 2007.

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